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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/039,163	12/31/2001	Christopher D. Voltz	H052617.1151US0	9385

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Intellectual Property Administration
Legal Department M/S 35
P.O. Box 272400
Ft. Collins, CO 80527-2400

EXAMINER

CUNNINGHAM, GREGORY F

ART UNIT	PAPER NUMBER
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2676

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DATE MAILED: 06/10/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Advisory Action

Application No.

10/039,163

Applicant(s)

VOLTZ ET AL.

Examiner

Greg Cunningham

Art Unit

2676

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 13 May 2004 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.

PERIOD FOR REPLY [check either a) or b)]

- a) ☐ The period for reply expires _____ months from the mailing date of the final rejection.
- b) ☒ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection. ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

1. ☐ A Notice of Appeal was filed on _____. Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.
2. ☐ The proposed amendment(s) will not be entered because:
- (a) ☐ they raise new issues that would require further consideration and/or search (see NOTE below);
 - (b) ☐ they raise the issue of new matter (see Note below);
 - (c) ☐ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
 - (d) ☐ they present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____.

3. ☐ Applicant's reply has overcome the following rejection(s): _____.
4. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
5. ☒ The a) ☐ affidavit, b) ☐ exhibit, or c) ☒ request for reconsideration has been considered but does NOT place the application in condition for allowance because: See Continuation Sheet.
6. ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.
7. ☐ For purposes of Appeal, the proposed amendment(s) a) ☐ will not be entered or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

The status of the claim(s) is (or will be) as follows:

Claim(s) allowed: _____.

Claim(s) objected to: _____.

Claim(s) rejected: _____.

Claim(s) withdrawn from consideration: _____.

8. ☐ The drawing correction filed on _____ is a) ☐ approved or b) ☐ disapproved by the Examiner.

9. ☐ Note the attached Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.

10. ☐ Other: _____


MATTHEW C. BELLA
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600

Continuation of 2. NOTE: With regard to applicant's argument to claims 11-19 (independent 11 and 16) of Final Office Action; while although Microsoft Press Computer Dictionary defines nonvolatile memory as the term is occasionally used in reference to disk subsystems as well, the applicant's remark on page 10 of response received 5/13/2004: "Even if the drives 12A and 12B could be characterized as the non-volatile memory of a video system, there is nothing in the Wynne reference to suggest that digital characterization values for the DAC's are stored on the drives 12A and 12B" is insufficient since it is well known that one can backup all data and parameters to the harddrive or floppy. Furthermore such characterization and storing to non-volatile memory is well known in the art for instance see Peon et al. (US Patent 6,195,030 B1), col. 2, Ins. 14-21, col. 4, Ins. 1-12 and 23-33.

With regard to claims 1-10 (independent claim 1) of Final Office Action, examiner finds concurrence with Applicant in that Zalph primarily characterizes an LCD display system and not just a plurality of DACs. However keeping in mind that said claim/s is/are silent on "during manufacture of the memory subsystem". Furthermore claim 1 speaks on that "digital characterization values correspond to the plurality of output analog voltages", but is silent on exactly how they are characterized. Whereas Zalph also characterizes DAC (D/A 106) along with the rest of the Fig. 2 system wherein the values stored in NVRAM (93) correspond in part on (D/A 106).

Now with respect to claims 20 and 22, Zalph teaches characterization of an LCD system, or better well known in the art as a "plant process" in general terms. Claim 20 is also directed toward a plurality of color channels. Such characterization of processes are we known and developed in the art as Control System Design & Simulation, Plant Process Control System, and/or State-Space System Simulation & Modelling, of which Zalph is given as an example.

J.F. Cunningham
6/3/04